

GENERAL ORDER

PORT WASHINGTON POLICE DEPARTMENT

SUBJECT:	BIASED-BASED POLICING	NUMBER:	1.7.6
		ISSUED:	5/5/09
SCOPE:	All Police Personnel	EFFECTIVE:	5/5/09
DISTRIBUTION:	General Orders Manual, and All Police Personnel	<input checked="" type="checkbox"/> RESCINDS	G-07-01, 34.3
		<input type="checkbox"/> AMENDS	
REFERENCE:		WILEAG 3 rd EDITION STANDARDS: 1.7.8	

INDEX AS: Biased-Based Policing
Race-Based Generalizations
Racial Epithets
Racial Profiling

PURPOSE: The purpose of this Order is to define biased-based policing or racial profiling and to clearly mandate a prohibition on racial profiling by members of the Port Washington Police Department. This Order also defines supervisory responsibility in the investigation of alleged violations.

This Order consists of the following numbered sections:

- I. POLICY
 - II. BACKGROUND
 - III. DEFINITIONS
 - IV. GENERAL PROVISIONS
 - V. PROCEDURES
- I. POLICY
- A. The Port Washington Police Department does not condone nor will it tolerate race-based generalizations and acts, racial profiling, or racial epithets.
- II. BACKGROUND
- A. Sworn officers have a broad range of discretion when performing their official duties. Decisions to make traffic contacts, to detain and investigate, and to take enforcement action are among the most common. It is important for this agency to be fair and impartial in law enforcement and delivery of services.

- B. The Port Washington Police Department is a value-driven agency which demonstrates its core values through professional dedication, conduct, and service. Our core values serve as guiding principles and our successes will not be achieved by merely proclaiming our values, but by consistently modeling them.
 - 1. The Port Washington Police Department embraces these values; Public Trust, Integrity, Human Life, Community, Courtesy-Compassion-Respect, Problem-Solving and Teamwork with the goal of placing “Citizens First”.
- C. These values and this goal specifically contradict behavior and activities, which would negatively generalize about people on the basis of gender, race, or ethnicity.

III. DEFINITIONS

- A. **RACIAL PROFILING:** Any police-initiated action which relies upon race, ethnicity, national origin, or gender of an individual rather than the behavior of that individual, or information that leads the police to a particular individual who has been identified as being engaged in or having been engaged in criminal activity.

Two corollary principles follow from adopting this definition of racial profiling:

- 1. Sworn officers and police personnel may not use racial or ethnic stereotypes as factors in selecting whom to stop and whom to search.
 - 2. Sworn officers and police personnel may use race or ethnicity to determine whether a person matches a description of a particular suspect.
- B. **RACE-BASED GENERALIZATIONS:** Broad, stereotypical conclusions about a person based on race or ethnicity.
 - C. **RACIAL EPITHETS:** Derogatory phrases and terms, which are used to describe a person’s race or ethnicity.

IV. GENERAL PROVISIONS

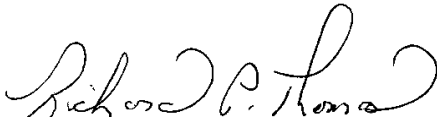
- A. All personnel shall avoid race-based generalizations and acts, and shall:
 - 1. Treat all persons contacted with dignity and respect.
 - 2. Take enforcement action based upon reasonable suspicion and probable cause.
 - 3. Refrain from using inappropriate phrases or terms.
 - 4. Report all infractions by co-workers to his/her supervisor.

V. PROCEDURES

- A. Sworn officers and police personnel's decisions to stop, detain, question, further investigate, search, warn, or arrest an individual will be based upon reasonable suspicion or probable cause and will not be based upon racial profiling.
- B. Sworn officers and police personnel shall use reasonable suspicion or probable cause in the stopping of motor vehicles and in identifying the occupants of a motor vehicle. Motor vehicle stops will not be based upon racial profiling.
- C. Sworn officers and police personnel may use race, ethnicity national origin, or gender to determine whether a person matches a description of a particular suspect or when such individual factors are previously identified characteristics of a person whom officers or police personnel are lawfully attempting to locate.
- D. Racial epithets shall not be used in conversation or written communications unless they are being reported or spoken by another person during the completion of an official report, or as testimony at an official hearing.

APPROVED:

DATE:



Chief Richard P. Thomas

5/5/09